

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 1-06-CR-57

Plaintiff,

Hon. Richard Alan Enslen

v.

SEAN JASON BARRY,

ORDER

Defendant.

This matter is before the Court on the Plaintiff United States of America's Motion for Amendment of Bond pursuant to the Bail Reform Act, 18 U.S.C. § 3145(a)(1). Defendant Sean Jason Barry has not opposed the Motion.

Defendant was originally released on an unsecured appearance bond. On August 8, 2006, the Government moved to revoke Defendant's bond for the reason Defendant failed to resolve an outstanding traffic citation and warrant in violation of the conditions of his bond. (*See* Dkt. No. 18.) Defendant was subsequently committed to the custody of the Attorney General for a psychiatric evaluation pursuant to 18 U.S.C. §§ 4241(b), 4242, and 4247(b). Defendant was then granted bond with certain conditions on February 22, 2007. On July 6, 2007, Defendant entered a guilty plea to the Felony Information and is now awaiting sentencing scheduled for October 29, 2007.

The Government has moved to amend the conditions of Defendant's bond for the reason that Defendant admitted to United States Probation Officer Matthew Erickson that he was under the influence of alcohol at his presentence interview. Defendant further admitted that he had an alcohol problem and requested treatment. The Government requests the additional conditional conditions of release be amended to include conditions number 5 and 7 which state:

5. I agree to submit to urinalysis or other drug testing, treatment and/or counseling if so directed by the Pretrial Services Officer and shall pay at least a portion of the cost according to my ability as determined by the Pretrial Services Officer.
7. I agree not to use any alcohol.

After review, the Court finds good cause to grant Government's request and amend the conditions of release such that Defendant shall be prohibited from consuming alcohol and shall also be subject to testing, treatment, and/or counseling for his alcohol addiction. The Court further finds it appropriate that Defendant pay at least a portion of the cost of such treatment and counseling as determined by the Pretrial Services Officer. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Amendment of Bond (Dkt. No. 68) is **GRANTED** and Defendant Sean Jason Barry's Appearance Bond [47] shall be **AMENDED** to include Additional Conditions number 5 and 7 as set forth above.

DATED in Kalamazoo, MI:
August 7, 2007

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE